

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA NATIONAL)	
MUTUAL CASUALTY)	
INSURANCE CO.,)	
)	
Plaintiff,)	Civil Action No. 20-409
)	
v.)	Judge Cathy Bissoon
)	
FORD MOTOR COMPANY,)	
)	
Defendant.)	

ORDER

Defendant's Motion to Dismiss (**Doc. 15**) is **GRANTED IN PART** and **DENIED IN PART**. Defendant's personal-jurisdiction challenge is resolved, in Plaintiff's favor, under the consent-by-registration theory in Bane v. Netlink, Inc., 925 F.2d 637 (3d Cir. 1991). *Id.* at 640; *accord* Kraus v. Alcatel-Lucent, 441 F.Supp.3d 68, 73-75 & n.16 (E.D. Pa. 2020) (collecting cases finding that Bane survives *Daimler*, and rejecting the modest minority holding to the contrary). Bane and Kraus recently were endorsed in another case in this District, Tupitza v. Texas Roadhouse Mgmt. Corp., 2020 WL 6268631, *3-4 (W.D. Pa. Oct. 21, 2020); their reasoning is sound; and their analyses are incorporated by reference herein.

As to Defendant's request for dismissal of Count III of the Complaint, Plaintiff concedes the point, and the Motion is granted to that extent.

IT IS SO ORDERED.

February 18, 2021

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record